

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JEREMY LEVIN and DR. LUCILLE
LEVIN,

Plaintiffs,

-v-

THE BANK OF NEW YORK MELLON,
JPMORGAN CHASE & CO.,
JPMORGAN CHASE BANK, N.A.,
SOCIÉTÉ GÉNÉRALE, and CITIBANK,
N.A.

Defendants.

THE BANK OF NEW YORK MELLON,
JPMORGAN CHASE & CO.,
JPMORGAN CHASE BANK, N.A.,
SOCIÉTÉ GÉNÉRALE, and CITIBANK,
N.A.

Third-Party Plaintiffs,

-v-

STEVEN M. GREENBAUM, *et al.*

Third-Party Defendants.

(FILED PARTIALLY UNDER SEAL
DUE TO CONFIDENTIAL
INFORMATION SUBJECT TO
PROTECTIVE ORDER)

Civ. No. 09 CV 5900 (RPP) (MHD)

**DECLARATION OF SUZELLE M.
SMITH IN SUPPORT OF
PLAINTIFFS' MOTION FOR
LEAVE TO FILE
SUPPLEMENTAL COMPLAINT
PURSUANT TO F.R.C.P. 15(d)**

I, SUZELLE M. SMITH, declare as follows:

1. I am a partner with the law firm of Howarth & Smith, and I am counsel for Plaintiffs Jeremy Levin and Dr. Lucille Levin. I was admitted to the State of California bar in 1984, and I am a member in good standing of the State of California bar. I am an

elected Fellow and Board member of the International Academy of Trial Lawyers, an elected Fellow of the International Society of Barristers, the American Bar Foundation and of the American Board of Trial Advocates. I am a member of the Board of Trustees of the University of Virginia Law School. I am also a Lecturer in Law and a Visiting Fellow of Lady Margaret Hall, Oxford University. I am admitted to practice in the United States District Court, Southern District of New York and the United States Court of Appeals for the Second Circuit. I am counsel of record for the Plaintiffs in the matter of *Levin v. The Bank of New York Mellon, et al*, Case No. 09 Civ. 5900 (RPP).

2. I make this declaration in support of Plaintiffs' Motion for Leave to File Supplemental Complaint Pursuant to F.R.C.P. 15(d). The facts stated below are based on my personal knowledge or my review of and/or familiarity with prior filings and proceedings in this action.

3. The Levins' Judgment against Iran has not been fully satisfied.

4. On December 16, 2013, Plaintiffs served Interrogatories on the Bank of New York, JPMorgan Chase Bank, N.A., Societe Generale, and Citibank, N.A. (the "Defendant Banks").

5. The Defendant Banks responded on February 3, 2014, disclosing additional Iranian Blocked Assets (as defined in the accompanying Memorandum of Law).

6. Plaintiff's obtained Court-ordered writs of execution on March 13, 2014 and delivered the writs to the United States Marshals Service for the Southern District of New York for service and levy upon the New York Banks on March 17, 2014.

7. The U.S. Marshal so served and levied the writs of execution on March 31, 2014 as to JPMorgan, Societe Generale, and the Bank of New York, and April 1, 2014 as to Citibank.

8. On April 17, 2014, JPMorgan disclosed additional Iranian Blocked Assets.

9. Plaintiffs obtained Court-Ordered writs of execution on June 18, 2014 and delivered the writs of execution to the United States Marshals Service for the Southern District of New York for service and levy upon the New York Banks on June 20, 2014.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: Los Angeles, California.
June 23, 2014

/s/ Suzelle M. Smith
Suzelle M. Smith